

**TRAINING AND TESTING
SPECIFICATIONS FOR LEARNING DOMAIN #17
PRESENTATION OF EVIDENCE**

~~July 1, 2008~~ January 1, 2009

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X	X	X			X	
X		X			X	
X		X			X	
X		X			X	
X		X			X	
X		X			X	
X	X	X			X	
X		X			X	X
X		X			X	X
X		X			X	X
X		X			X	X
X		X			X	X

I. LEARNING NEED

Peace officers must know the rules of evidence as they pertain to relevancy, types of evidence, authentication and chain of custody.

LEARNING OBJECTIVES

A. Recognize relevance as it pertains to the admissibility of evidence

B. Identify four types of evidence:

1. Testimonial
2. Real
3. Demonstrative
4. Circumstantial

C. Recognize the process of authentication of evidence

D. Understand what constitutes the legal chain of custody for evidence

II. LEARNING NEED

Peace officers must know the requirements and exceptions for the admissibility of evidence.

LEARNING OBJECTIVES

A. Recognize a peace officer's role and responsibilities in ensuring the admissibility of evidence:

1. California Evidence Code 352
2. Exclusionary Rule
3. Opinion and expert testimony
4. Privilege

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X		X			X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X	X	X(2)	X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X
X			X		X	X

5. Credibility of witnesses

B. Recognize the requirements and exceptions for admitting hearsay evidence for:

1. Spontaneous statements
2. Admissions and confessions
3. Dying declarations
4. Records and officer testimony
5. Hearsay testimony at preliminary hearings
 - a. By active and honorably retired peace officers

III. LEARNING NEED

For a peace officer's testimony to be given serious consideration by the court, it is essential that officers present themselves as professional, credible, and reliable witnesses.

- A. Identify a peace officer's responsibilities regarding pretrial preparation
- B. Identify aspects of a case that peace officers should review prior to giving testimony
- C. Identify factors related to a peace officer's personal appearance that can influence how an officer's testimony is received by the court
- D. Identify appropriate peace officer responses while testifying as a witness
- E. Identify appropriate responses when a peace officer is unsure of or does not know the answer to a question asked by an attorney
- F. Identify appropriate responses when asked to give an opinion while testifying
- G. Recognize the importance of being a truthful peace officer while testifying in court

IV. REQUIRED TESTS

NONE

RBC	Other Basic Courses					Requal
	832	III	II	I	SIBC	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
X			X		X	
6	2	2	4		6	2

V. LEARNING ACTIVITIES

- A. The student will participate in a simulated criminal trial by either providing testimony or critiquing testimony provided by another person. The simulation shall incorporate a variety of questioning styles that peace officers are likely to encounter on the witness stand, including:
1. Badgering/belligerent
 2. Offensive
 3. Friendly
 4. Condescending
 5. Hearsay questions and testimony at a preliminary hearing
 - a. By active and honorably retired peace officers.

VI. HOURLY REQUIREMENTS

Students shall be provided with a minimum number of instructional hours on presentation of evidence.

VII. ORIGINATION DATE

January 1, 2001

VIII. REVISION DATE

January 1, 2002	January 19, 2007	<u>January 1, 2009</u>
January 1, 2004	July 1, 2007	
September 15, 2004	August 8, 2007	
January 1, 2006	July 1, 2008	